

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

INDICTMENT FOR MAIL FRAUD AND AGGRAVATED IDENTITY THEFT

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO.
v.	*	SECTION:
GEORGE MAGEE	*	VIOLATIONS: 18 U.S.C. § 1341
	*	18 U.S.C. § 1028A
	*	
	*	
	*	

The Grand Jury charges that:

COUNT 1

A. AT ALL TIMES MATERIAL HEREIN

1. On August 29, 2005, Hurricane Katrina made landfall in Louisiana causing widespread damage to the City of New Orleans.
2. After Hurricane Katrina devastated the City of New Orleans, the Federal Emergency Management Agency ("FEMA") immediately provided disaster assistance to individuals affected by the storm, including emergency assistance funding.
3. FEMA provided several types of assistance, including the following: (1) temporary housing assistance, which provided funds to individuals who needed to rent an alternative place to live; (2) repair money for homeowners to fix damage from the disaster that was not covered by

insurance; (3) replacement money which allowed homeowners to replace a home which was destroyed in the disaster and not covered by insurance; and (4) money for necessary expenses and serious needs caused by the disaster such as medical, dental, funeral, personal property, transportation, moving and storage expenses.

4. Prior to and on the date Hurricane Katrina made landfall, the defendant, **GEORGE MAGEE**, lived with N.W. in an apartment located at 1279 S. Rocheblave Street, Apartment A, New Orleans, Louisiana 70125.

5. In or near September 2005, the defendant, **GEORGE MAGEE**, and N.W., evacuated to Omaha, Nebraska where N.W.'s family lived until they could return to New Orleans, in January 2006.

6. On or about September 8, 2005, the defendant, **GEORGE MAGEE**, submitted a FEMA application claiming a damaged rental address of 1279 S. Rocheblave Street, Apartment A.

7. The defendant's FEMA application listed his household occupants as the defendant, **GEORGE MAGEE**, and N.W.

8. When **GEORGE MAGEE** returned to New Orleans, Louisiana, on or about January 2006, he lived with N.W. in 1938 Jackson Avenue, Apartment 3, New Orleans, Louisiana 70113.

9. On or about September 9, 2005 and on or about October 19, 2005, FEMA disbursed payments in expedited assistance totaling \$4,358 and payable to **GEORGE MAGEE** in connection with **GEORGE MAGEE's** application for assistance.

B. THE OFFENSE

1. On or about February 11, 2006, in the Eastern District of Louisiana, the defendant **GEORGE MAGEE**, submitted an application for temporary housing assistance to FEMA, using the name and date of birth of an individual named A.W.

2. In the application, the defendant, **GEORGE MAGEE**, stated that A.W. lived at 2837 S. Roman St., New Orleans, Louisiana, 70125 prior to Hurricane Katrina and the property was damaged as a result of the storm. The defendant also indicated that A.W.'s current mailing address was 1938 Jackson Avenue, Apartment 5, New Orleans, Louisiana, 70113.

3. As proof that A.W. occupied the residence located at 2837 S. Roman St., New Orleans, Louisiana prior to the storm, the defendant, **GEORGE MAGEE**, submitted a false and fraudulent DirecTV invoice, dated July 10, 2005, showing that prior to Hurricane Katrina, A.W. lived at 2837 S. Roman St., New Orleans, Louisiana 70125 and had DirecTV service there. In reality, A.W. never lived at this address and the defendant, **GEORGE MAGEE**, had altered the DirecTV bill in order to cause FEMA to send rental assistance to A.W. at 1938 Jackson Avenue, Apartment 5, New Orleans, Louisiana 70113, which the defendant later deposited into his own bank account.

4. On or about April 19, 2006, the United States Treasury mailed a check in the amount of \$5,856.98 to A.W. at 1938 Jackson Avenue, Apartment 5, New Orleans, Louisiana, 70113.

5. On or about April 28, 2006, the defendant, **GEORGE MAGEE**, caused the United States Treasury check made payable to A.W. in the amount of \$5,856.98 at 1938 Jackson Avenue,

Apartment 5, New Orleans, Louisiana, 70113 to be deposited into the defendant's bank account, X-XXX-XXXX-0141, at U.S. Bank in Omaha, Nebraska.

C. THE SCHEME TO DEFRAUD FEMA

1. From on or about February 11, 2006 to on or about April 28, 2006 in the Eastern District of Louisiana, the defendant, **GEORGE MAGEE**, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud and to obtain money and property from FEMA by means of false representations, pretenses, and promises by falsely and fraudulently obtaining financial assistance from FEMA, to which he was not entitled.

2. It was part of the scheme and artifice to defraud that the defendant, **GEORGE MAGEE**, submitted false and fraudulent documents to FEMA officials and representatives claiming that he was A.W. and was entitled to rental assistance as a result of Hurricane Katrina, when in truth and in fact, he was using A.W.'s identity in order to get rental assistance that he was not entitled to, since he is not A.W., and had already applied for and received rental assistance from FEMA on prior occasions.

D. THE MAILING

On or about April 19, 2006, **GEORGE MAGEE**, for the purpose of executing the scheme and artifice to defraud, as alleged in Section C above, did knowingly cause to be delivered to the address of 1938 Jackson Avenue, Apartment 5, New Orleans, LA 70113, through the United States mail, a personal check authorized by the United States Treasury, in the amount of \$5,856.98 and made payable to A.W.; all in violation of Title 18, United States Code, Section 1341.

COUNT 2

A. THE OFFENSE

1. The facts alleged in Count 1, Section A, paragraphs 1- 9 are hereby re-alleged and incorporated herein in their entirety.

2. On or around February 10, 2006, in the Eastern District of Louisiana, the defendant **GEORGE MAGEE**, submitted an application for temporary housing assistance to FEMA, using the name, date of birth, and social security number of an individual named L.W.

3. In the application, the defendant, **GEORGE MAGEE**, claimed that L.W. lived at 2333 S. Derbigny St. St., New Orleans, Louisiana, 70125 prior to Hurricane Katrina and that this property was damaged as a result of the storm. The defendant also indicated that L.W.'s current mailing address was 1938 Jackson Avenue, Apartment 5, New Orleans, Louisiana 70113.

4. As proof that L.W. occupied the damaged address 2333 S. Derbigny St., New Orleans, Louisiana, the defendant, **GEORGE MAGEE**, submitted a false and fraudulent DirecTV invoice, dated July 10, 2005, purporting to show that prior to Hurricane Katrina, L.W. lived at 2333 S. Derbigny St. St., New Orleans, Louisiana. In reality, L.W. was the brother of N.W. and was an inmate serving a life sentence at the Louisiana State Penitentiary at the time of Hurricane Katrina. Further, L.W. never lived at 2333 S. Derbigny St. St., New Orleans, Louisiana, and the defendant, **GEORGE MAGEE**, had altered the DirecTV bill in order to cause FEMA to send rental assistance to 1938 Jackson Avenue, Apartment 5, New Orleans, Louisiana 70113.

5. On or around April 26, 2006, the United States Treasury sent a check payable to L.W. in the amount of \$1,880 by United States mail to 1938 Jackson Avenue, Apartment 5, New Orleans, Louisiana.

6. On or around May 26, 2006, the defendant, **GEORGE MAGEE**, caused the United States Treasury check payable to L.W. in the amount of \$1,880 to be deposited in the defendant's bank account, X-XXX-XXXX-0141, at U.S. Bank in Omaha, Nebraska.

B. THE SCHEME TO DEFRAUD FEMA

1. From on or about February 10, 2006 to on or about May 26, 2006 in the Eastern District of Louisiana, the defendant, **GEORGE MAGEE**, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud and to obtain money and property from FEMA, by means of false representations, pretenses, and promises by falsely and fraudulently obtaining financial assistance from FEMA, to which he was not entitled.

2. It was part of the scheme and artifice to defraud that the defendant, **GEORGE MAGEE**, submitted false and fraudulent documents to FEMA officials and representatives claiming that he was L.W. and was entitled to rental assistance as a result of Hurricane Katrina, when in truth and in fact, he was using L.W.'s identity in order to get rental assistance that he was not entitled to, since he is not L.W., and had already applied for and received rental assistance from FEMA on prior occasions.

C. THE MAILING

On or about April 26, 2006 **GEORGE MAGEE**, for the purpose of executing the scheme and artifice to defraud, as alleged in Section B above, did knowingly cause to be delivered to the address of 1938 Jackson Avenue, Apartment 5, New Orleans, LA 70113, through the United States Mail, a personal check authorized by the United States Treasury, in the amount of \$1,880 and made payable to L.W.; all in violation of Title 18, United States Code, Section 1341.

COUNT 3

On or about February 10, 2006 and continuing through on or around May 26, 2006, in the Eastern District of Louisiana, the defendant, **GEORGE MAGEE**, did knowingly use, without lawful authority, a means of identification of another person, specifically, the name, date of birth, and social security number of L.W., when he executed a scheme and artifice to defraud FEMA, by causing a United States Treasury check in the amount of \$1,880 and payable to L.W. to be sent by United States mail to the address of 1938 Jackson Avenue, Apartment 5, New Orleans, Louisiana 70113, a violation of Title 18, United States Code Section 1341; all in violation of Title 18, United States Code, Section 1028A.

NOTICE OF FORFEITURE

1. The allegations of Counts 1 and 2 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 1341 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461.

2. As a result of the offenses alleged in Counts 1 and 2, the defendant, **GEORGE MAGEE**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461, any and all property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1341.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without

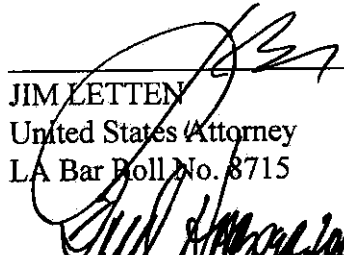
difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.


All in violation of Title 18, United States Code, Sections 1341 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461.

A TRUE BILL:

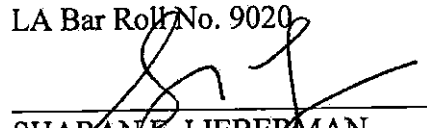
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New Orleans, LA
August 6, 2009